

**Before the State of South Carolina
Department of Insurance**

In the Matter of:

SCDOI Docket # 06-0737

New South Insurance Agency
c/o Darrell Williams

**ORDER REVOKING
AGENCY LICENSE**

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of the New South Insurance Agency (Agency) agency's license.

After careful review of the evidence presented, the Department issues the following decision.

FINDINGS OF FACT

Agency is currently a South Carolina licensed agency.

In the State of South Carolina, the agency failed to remit premiums to the AIG Insurance Company in the amount of at least \$86,084.40.

CONCLUSIONS OF LAW

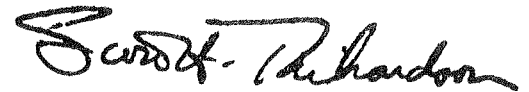
Pursuant to S.C. Code §38-43-130(A)(C)(6) (A) "The director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice or refuse to issue or reissue a license when it appears that a producer has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State." (C) "The words 'deceived or dealt unjustly with the citizens of this State' include, but are not limited to, action or inaction by the producer as follows:" (4) "improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business." As a result of New South Insurance Agency failing to remit premiums to the AIG Insurance Company in the amount of at least \$88,016.00, the Department now moves to revoke its agency license.

Pursuant to S.C. Code §38-43-240(A)(3) (A) "It is unlawful for a producer, collector, or other person to:" (3) "fail to turn over or satisfactorily account for all collections of the insurer when required." As a result of New South Insurance Agency failing to remit premiums to the AIG Insurance Company in the amount of at least \$88,016.00, the Department now moves to revoke its agency license.

THEREFORE, it is ordered that the New South Insurance Agency's, South Carolina agency license shall be revoked thirty (30) days from the date of this order, and no license issued through the state of South Carolina Department of Insurance is to be issued to her, unless the New South Insurance Agency requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2000).



Scott H. Richardson
Director of Insurance

Dated this 28 day of February 2007